

No. 4 OF 1871.

FROM

A. D. CAREY, ESQUIRE,

Extra Second Assistant Collector, Súrat ;

TO

T. C. HOPE, ESQUIRE,

Collector, Súrat.

CITY LANDS TITLES ENQUIRY OFFICE,

Súrat, 18th August 1871.

SIR,

I have the honour to report the completion of operations under the City Survey Act in the town of Balsar.

Duration of proceedings.

2. The Survey was commenced in 1864 and has been going on up to the present time.

Enquiries were held in a few cases in 1868-69, but beyond the settlement of a number of miscellaneous cases arising from applications for permission to build, little was done until 1870. In that and the present years enquiries have been held by Messrs. Mulock and Porteous and by myself, as per margin, the entire time occupied by enquiry work amounting to 16 months for a single officer. The number of appeals is shown in Appendix G.

Names.	No. of Decisions.
Mr. Mulock	478
Mr. Porteous	1,104
Mr. Carey	3,669

3. The objects of the enquiry were to decide upon the title to possession, without payment of Government land revenue, of all lands held by private persons, and to define the land belonging to Government either liable to assessment, or employed for any public or Municipal purpose. The entire area of the town has in this way been accounted for. The boundaries of all private properties have been fixed, and each holder has been or very shortly will be supplied with a sunnud containing a map of the land corresponding with the plan of the property in the general map of the town—and showing all buildings, wells, large trees, or other permanent objects that were on it at the time of the survey, and how it was enclosed, if at all. The sunnud also contains a specification of the area and boundaries of the property, with the exact dimensions in feet and inches in conformity with the requirements of the Registration Act. Each property bears a separate number by which it is distinguished both in the sunnud and general map, so that the means of identification are complete. Not the least of the incidental advantages of the survey will be the convenience afforded to the public by supplying purchasers and

Objects of enquiry.

others with a means of correctly and exactly describing what they buy, a particular in which native deeds, excepting some of quite recent date, are as a rule extremely deficient. All Government land is clearly defined and shown by a distinctive colour in the maps, so that detection of any future encroachment will be easy, while the provisions of the Act supply a complete and ready means of dealing with any such cases when they occur.

4. The enquiry has extended to all lands within the Municipal boundaries, but the settlement of cultivable lands previously made by the Revenue Survey Department in 1868-69 has been simply recorded and in no way interfered with. All particulars relating to the proceedings in that Department which are given here, have been obtained from the Balsar report of the Superintendent (Mr. Beyts) or the Survey Records of the Táluká.

Settlement under Gujrat Revenue Survey not interfered with.

5. In the course of the proceedings a quantity of Kiraya land, that is, land held from Government on a yearly rental by tenants-at-will, has been disposed of according to the principles sanctioned for Broach, so far as circumstances permitted. The land has in part been disposed of in perpetuity, and in part on 99 years' leases. The whole of the proceeds of this class of lands has been credited to Government. 4,797½ yards of Kiraya land have been disposed of; 1,946½ in perpetuity for Rs. 2,164-0-11, and the remaining 2,851 yards have been leased for 99 years. The total sum realized is Rs. 4,361-8-11, with an annual quit-rent in future of Rs. 29-11-2.

Gamtalio lands.

6. Within the limits to which the Act has been extended is included a quantity of Gamtalio or village site land occupied by others than cultivators. As Balsar is a town with great advantages of position, possessing a Bunder and a Railway station, which recent Municipal improvements have connected by a good made road, it is an important thing that the Government right of assessment over this class of lands should not be tacitly abandoned, as has occurred for instance in some of the suburbs of Broach, such as Veezulpore. If no assessment whatever be imposed on these lands, it may be difficult to assert the right at some future time, or at the least there is a risk that the attempt to do so may be felt as a hardship. Mr. Beyts in his Report No. 133 of 1870, on the experimental settlements of Balsar, states in para. 109: "But as fishermen, owners of liquor shops, &c., do not contribute anything towards the expenses of Government nor to the Local Funds, I think they should be charged ground-rent for the land their houses stand on." These people formerly paid taxes, such as the 'jaompree vero' or cess of one rupee upon each hut, which the British Government has long

since foregone. It is true that they will be reached by the recently enacted tax on non-agricultural inhabitants of rural districts, but, none the less, it seems to me just and right that a moderate assessment should be placed on Government land actually occupied and enjoyed by them. There is no reason why the village Waneea or Marwaree should not pay a fair rent for the land he occupies. Yet such persons may be found actually receiving rent from others for land they hold free of all charge from Government. These persons, so far as my experience extends, fully recognize the fact that the land they occupy is Government property, and by present rules a stamped agreement to that effect is taken from the holder and kept in the village records every time the properties change hands.

7. In my No. 23, dated the 22nd December 1870, to your address, I recommended an assessment of half a pie per square yard, or about Rs. 12-8 per acre, for these lands. By para. 5 of your No. 128, dated the 19th January 1871, you informed me that you would wish an imposition of one pie per square yard, unless I had further grounds to show in favour of my recommendation. I still respectfully retain my former opinion that a rate of one pie will be too high. The assessment will fall not only on the well-to-do Waneea and liquor seller, but on a considerable body of people, such as fishermen, whose resources are by no means large. Most of these properties possess at present hardly any saleable value, from the simple fact of Government having hitherto permitted rent-free occupation, while retaining the ownership, the area thus employed not being so limited as yet as to induce competition for possession of sites. This state of things will be changed as the town increases in size and importance, and the levy of an assessment will of itself accelerate the process; but the change will be a gradual one, and I think it eminently desirable that the levy should at first be conspicuously light. The passing of Act II. of 1871, supplies another reason for proceeding with caution. While retaining my opinion I have of course adopted the rate of one pie in estimating the probable yield of the assessment. The orders of Government are now awaited on this subject before imposing the assessment.

8. Concurrently with the settlement, an attempt has been made to improve the town by straightening the lines of road and introducing a little regularity in place of the unsightly corners and projections so prevalent in native towns. For this purpose the line the roads are intended to take has been marked out on the various maps, persons whose properties fall back from that

line have been permitted to buy the intervening space at a moderate rate, while those whose properties project beyond the line have in many cases agreed to rectify their boundaries, when so doing involved but trifling loss or expense. In other cases the original boundary has been for the present retained, and it will be for the Municipality in future to lose no opportunity, when houses are taken down to be rebuilt or otherwise as occasion offers, to insist on the adoption of the line. All the pieces of land available in the principal street past the old Thannah have been purchased at an average rate of Rs. 3 per square yard, and in the other important streets a fair number of these side-strips of land have been purchased at prices ranging from Rs. 3 to the minimum of one rupee.

Appendix A.

9. Appendix A gives an analysis of the land of Balsar as finally ascertained by the inquiry.

10. Appendices B, C, D, show the actual financial results of the introduction of the Act up to the present time. The total cost of the operations including pay of the Enquiry Officers, amounts to Rs. 18,736-5-8, of which Government has paid Rs. 10,613-4-11 and the Municipality Rs. 8,123-0-9. The proceeds hitherto realized have been to Government Rs. 6,666-13-11 and in addition Rs. 158-4-6 annually, exclusively of the Rs. 323 awaiting sanction or otherwise as stated in para. 7, while the Municipality have received Rs. 12,607-8-10. This result can hardly be regarded as other than satisfactory.

11. Appendices E and F are designed to show the whole financial action of the Survey, and its ultimate results of the City Survey. as well as present results. The anticipated proceeds of the proposed assessment on Gamtulio lands is taken into account in these statements, and Appendix E shows contrasted the Kamal Revenue of Balsar within Municipal limits before and after carrying out the City Survey. The result is an ultimate profit of Rs. 61,631-8-4 to the Municipality, while Government will receive a lump sum recouping the outlay within Rs. 461-13-5, and in addition a permanent annual revenue of Rs. 833-1-1.

12. It thus appears that at present Government have actually secured Rs. 6,666-13-11 and an annual revenue which capitalized at 5 per cent. is worth Rs. 3,165. If to that be added the capitalized value of the proposed Gamtulio rate of one pie the Government realization becomes Rs. 16,301-13-11. The expenditure of Government amounts to Rs. 10,613-4-11, but it is perhaps not unfair to remark that of that sum Rs. 8,598-12-3, the pay of

the Enquiry Officers, is really no additional charge on Government at all, but would have had to be met in any case. The enquiry involved no addition to any establishment of Government, nor were any extra allowances or increased charge in any form incurred. It merely supplied a means of utilizing the services of officers who would otherwise have been unemployed. It is, I think, only just, in comparing the outlay of Government with that of the Municipality, to give weight to the fact that the Municipality had to raise by taxation every rupee they granted towards the support of the Survey, while the demand on Government was really confined to Rs. 2,014-8-4. Taking all these circumstances into consideration, the immediate gain of Government appears much greater than that of the Municipality, who for an actual outlay of Rs. 8,123-0-9 have received Rs. 12,607-8-10. But if the ultimate relative position of the two bodies be considered, it will appear that the profits of the Municipality will in the long run far exceed those of Government. They will receive Rs. 61,631-8-4 against a lump sum to Government of Rs. 10,168-10-11, and an annual revenue which capitalized is worth Rs. 16,661-0-0, or about 26,829-10-11 as against 61,631-8-4. As time goes on, then, the position of affairs will gradually alter in favour of the local body, the eventual largest gainers being the town authorities who, from the slender resources they possessed in local taxation, loyally and intelligently supported the Survey through its somewhat prolonged duration of more than 6 years.

13. In conclusion, I have the pleasure to acknowledge the uniform kindness and readiness with which every assistance has been supplied to the Enquiry Officers by the Superintendent of Survey (Mr. Beyts), and the Assistant Superintendent in charge of the City Survey (Mr. De Souza). The greatest harmony has prevailed between the offices, and the success of the Enquiry proceedings is in a large measure due to the cordial co-operation of these gentlemen. It is also a pleasure to me to mention that the late Mamlutdars of Balsar (Azum Keshowlal Heeralal and Azum Keshowbhai Nathoobhai) have throughout done their utmost to assist the Survey, and much facilitated operations by explaining the true scope and objects of our proceedings to the townspeople and removing groundless apprehensions from their minds.

I have the honour to be,

Sir,

Your most obedient Servant,

A. D. CAREY,

Extra Second Assistant Collector.

Forwarded through the Superintendent, Gujrat Revenue Survey.